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7 Special Counsel to Richard A. Marshack

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10 **UNITED STATES BANKRUPTCY COURT**

11 **CENTRAL DISTRICT OF CALIFORNIA - SANTA ANA DIVISION**  
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13 In re:

14 THE LITIGATION PRACTICE GROUP P.C.,

15 Debtor.  
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Case No.: 8:23-bk-10571-SC

Chapter 11

**DECLARATION OF NANCY RAPOPORT  
IN SUPPORT OF MOTION OF TRUSTEE  
RICHARD A. MARSHACK FOR ENTRY  
OF AN ORDER (A) APPROVING SALE  
OF ASSETS FREE AND CLEAR OF ALL  
LIENS, CLAIMS, ENCUMBRANCES AND  
INTERESTS PURSUANT TO 11 U.S.C.  
§ 363(b) AND (B) APPROVING  
ASSUMPTION AND ASSIGNMENT OF  
CERTAIN EXECUTORY CONTRACTS  
AND UNEXPIRED LEASES AND OTHER  
AGREEMENTS**

Date: July 21, 2023

Time: 10:00 a.m.

Judge: Hon. Scott C. Clarkson

Place: Courtroom 5C

411 W. Fourth Street  
Santa Ana, CA 92701

1 I, Nancy Rapoport, declare as follows:

2 1. I am an attorney and a member of the faculty of the William S. Boyd School of Law,  
3 University of Nevada, Las Vegas. A true and correct copy of my CV is attached hereto and  
4 incorporated herein by reference. I have been contacted by Christopher Celentino, with whom I was  
5 involved in cases when I was a practicing attorney with Morrison and Foerster LLP in the earlier part  
6 of my career, to consider the possibility of appointment by the Court as the Monitor for compliance  
7 pursuant to a proposed Asset Purchase Agreement (the "APA"), to be considered by the Court at  
8 hearing noted herein. I am in receipt of, and have reviewed, the proposed APA; for the purposes of  
9 this Declaration, there are comments and clarifications to my duties that I would request become part  
10 of the Appointment Order. These comments and clarifications differ from the text of the current  
11 APA. Mr. Celentino will propose those changes to the Court, the OUST, the Trustee, and the  
12 Committee in advance of the sale hearing on July 21, 2023. Before my Dean can consider and approve  
13 my outside employment request, I will need to explain my duties to her; thus, it would be helpful to  
14 ensure that my duties are clearly set forth in the Appointment Order. Based upon my discussions with  
15 Mr. Celentino, as set forth herein, I have expressed an interest to be considered for the role of Monitor,  
16 subject to the following disclosures and further subject to the proviso that the final terms of my  
17 proposed appointment, as set forth in the anticipated Appointment Order, are acceptable to my Dean  
18 and to me.

19 2. I have personal knowledge of the matters set forth herein. If called as a witness in this  
20 matter, I could and would testify competently thereto.

21 3. I serve on the ABI's Veterans and Servicemembers Task Force with Judge Clarkson.  
22 I know lawyers at many of the firms involved in this case, including lawyers at Pachulski Stang Ziehl  
23 & Jones and Bryan Cave Leighton Paisner (especially Sharon Weiss), Fox Rothschild, and Locke  
24 Lord. I also have connections with the Office of the United States Trustee (the "USTO") on a  
25 nationwide basis, having done some expert work for the USTO in the past.

26 4. I understand that the proposed terms of my employment as Monitor, as currently  
27 contemplated, are based upon Judge Drain's appointment of a compliance Monitor as set forth in the  
28 Purdue Pharma L.P., et al., v. Commonwealth of Massachusetts (In re Purdue Pharma, L.P., Bankr.

1 S.D.N.Y. Case No. 19-23649 (RDD) Adv. Pro. No. 19-08289, and that the appointment in this case  
2 would be pursuant to the Court's power under 11 U.S.C. section 105(a) and the explicit written consent  
3 of the Buyer pursuant to the APA to be executed in conjunction with the sale.

4 5. I further understand that the APA contemplates that the Estate and the Buyer will each  
5 advance \$100,000 at the Closing of the APA as initial funding for my employment as a Monitor; and  
6 that subsequent fees over that amount to be pursued by me and considered by the Court will be paid  
7 from funds of the Estate, as approved.

8 6. My current hourly rate is \$975.00 per hour, adjusted each January. Moreover,  
9 pursuant to my employment arrangement with UNLV, the Estate will have to remit to "UNLV  
10 Foundation-Boyd Law" \$250.00 per month for any inadvertent use of state resources. I have a  
11 minimum monthly fee of \$5,000.00.

12 7. Because of my residence in Las Vegas, because of my teaching schedule, and to  
13 preserve resources, I prefer for any court appearances to be by Zoom, so that I don't have to incur  
14 unnecessary travel expenses.

15 8. I am interested in exploring further with the Court and the parties the specific duties  
16 that I am to perform. I am concerned that my appointment as a Monitor pursuant to 11 U.S.C. § 105  
17 may be subject to appeal and will want to address that issue with the Court and the Parties to ensure  
18 that the appointment can survive any appeal, and is consented to by the confirmed Buyer, the Trustee,  
19 the OUST, and the Creditors' Committee, or is otherwise a binding order of the Court concerning  
20 said parties, prior to Closing of the proposed sale.

21 9. The following represents the currently contemplated terms of employment as a  
22 Monitor; however, prior to undertaking the role, I would expect to finalize the specifics of the role to  
23 the Court's, my Dean's, and my satisfaction before agreeing to serve in this role. It is my  
24 understanding that the overarching role of a Monitor in this case is strictly to monitor the Buyer's  
25 compliance with generally understood ethical standards and certain consumer protection obligations  
26 and not to act as an attorney or to provide any legal advice whatsoever to the Buyer or any of the  
27 Buyer's to-be-assumed clients. Given the reach of the operations, my role shall not include specific  
28 compliance with any given state's ethics rules. It shall be the role of the Buyer, and not the Monitor,

1 to seek legal counsel in terms of compliance with any specific state's legal ethics rules. It is not my  
2 desire or expectation to be involved in any post-plan confirmation role in the case.

3 **Anticipated Duties:**

4 **Appointment and Responsibilities of Monitor.**

5 Pursuant to the APA, the Buyer shall consent to the appointment of, and the Court, in  
6 light of such consent, shall appoint a Monitor with detailed, specified duties; among those will be:

7 1. The Monitor shall perform her duties according to the terms of the APA and  
8 the Order of the Court Approving the APA and the Order Appointing Monitor, pursuant to which the  
9 Monitor shall be vested with all rights and powers reasonably necessary to carry out such powers,  
10 duties, authority, and responsibilities enumerated therein.

11 2. The Monitor shall work with all diligence to confirm and oversee compliance  
12 with the ethical issues raised as part of the representations and warranties of the Buyer -- and the  
13 underlying ethical compliance and consumer protections of the operations of its legal services  
14 agreements with its clients -- as set forth in the APA. I understand the specific duties and mechanisms  
15 for support of my role as Monitor will be set forth in a separate Order of Appointment that shall be  
16 entered by the Court. I understand that I shall provide periodic (to be determined) reports to the  
17 Trustee, the Committee, and the Bankruptcy Court as outlined below.

18 3. The Monitor shall:

19 a. subject to any legally recognized privilege and as necessary or to  
20 perform her duties hereunder, have full and complete access to the Buyer's personnel, books, records,  
21 and facilities, and to any other information, as the Monitor may request. The Buyer, in conjunction  
22 with the Trustee and the Committee, shall develop such information as the Monitor may request and  
23 shall fully, completely, and promptly cooperate with the Monitor. The Monitor may raise with the  
24 Trustee, Committee and the Court any issues relating to any failure of or delay in such cooperation  
25 for an expedited resolution by the Court;

26 b. serve, without bond or other security, at the cost and expense of the  
27 Estate and the Buyer in accordance with the APA, with the Monitor's fees subject to final approval  
28 by the Court; the Monitor shall submit fee applications every 120 days, and it is contemplated that

1 the Court will authorize the payment of 80% of fees and 100% expenses each month, with a fee  
2 application to be filed every 120 days. It is further contemplated that the Monitor shall be authorized  
3 to use the services of Special Counsel to the Trustee for the purpose of preparing and submitting such  
4 fee applications and in filing any reports or other pleadings with the Court;

5 c. have the authority to employ, upon Court approval, at the cost and  
6 expense of the debtor's estate, such consultants, accountants, attorneys, and other representatives and  
7 assistants as are necessary to carry out the Monitor's and responsibilities. The Monitor shall be  
8 authorized to use the services of the Trustee's Special Counsel and the Trustee's accountants to  
9 conduct forensic analysis of data for the Monitor, at the expense of the Estate. The Monitor shall  
10 serve for a period of one year from  
11 date of appointment unless extended by the Court, at which time the Monitor shall submit a final  
12 report, and be discharged;

13 d. have no obligation, responsibility or liability for the operations of the  
14 Buyer; and the Estate shall indemnify, defend and hold harmless the Monitor from any and all liability  
15 and expenses incurred in accordance with the Monitor's duties to be performed hereunder;

16 e. file a first report on the 120th day after the Closing; and thereafter not  
17 less than every 90 days regarding compliance by the Buyer with the terms of the APA and the Order  
18 of Appointment of the Monitor; provided that elements of any such report may be filed under seal or  
19 subject to such other confidentiality Restrictions contained in the Appointment Order. The Court may,  
20 in response to such reports, provide such further direction to the Monitor as it deems appropriate, said  
21 determination to be made after notice and a hearing in conjunction with the Court's calendar and as  
22 directed by the Court.

23 f. maintain as confidential the data of Buyer pursuant to guidelines as  
24 may be established in the appointment order; and each of the Monitor's consultants, accountants,  
25 attorneys and other representatives and assistants shall also maintain such confidentiality as deemed  
26 necessary by the parties; provided, however, that nothing shall restrict the Monitor from providing  
27 any information to the Court and the parties consistent with the terms of the Protective Order; and  
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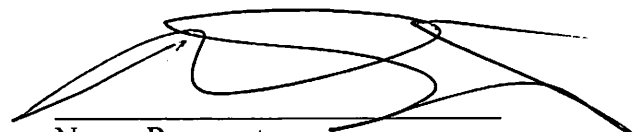
g. promptly seek an order requiring compliance or such other remedies as may be appropriate under the circumstances should the Buyer not comply with its obligations under the APA, and specifically section 12 thereof (Buyer's representations and warranties, except with respect to section 12(o), as section 12(o) shall be solely the responsibility of the Trustee):

4. Disputes Regarding Compliance

a. If the Monitor should develop a reasonable basis to believe the Buyer is not in compliance with the terms of the APA or the Buyer's duties as set forth in the Appointment Order, the Monitor shall notify the Buyer, via the Buyer's General Counsel, in writing of the specific objection, including identifying the provisions of the APA, the Appointment Order, or any ethics rule that the practice appears to violate, and give the Buyer thirty (30) days to respond to the notification and cure the conduct at issue, if necessary.

b. To the extent that the Buyer fails to cure the alleged conduct within the thirty (30) day period, the Monitor shall have ten (10) days to determine the appropriate action and response, and shall notify the Trustee, the Committee, and the Court of the alleged violative practice and may, but shall not be required to, recommend an appropriate action, response, or remedy to be implemented by the Court; based upon the Monitor's notification, and recommendation, if any, either the Trustee or the Committee may seek an appropriate remedy from the Bankruptcy Court via Noticed Motion, or in the event of an emergency, in accordance with the Emergency procedures set forth in the Local Rules of the United States Bankruptcy Court for the Central District of California, and all other applicable rules.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that this declaration is executed on this 17th day of July, 2023 at Las Vegas, Nevada.



Nancy Rapoport

**NANCY B. RAPOPORT, J.D.**

William S. Boyd School of Law  
University of Nevada, Las Vegas  
4505 S. Maryland Parkway  
Mail Stop 451003  
Las Vegas, NV 89154-1003  
[nancy.rapoport@unlv.edu](mailto:nancy.rapoport@unlv.edu)  
Cell: 713-202-1881

SSRN author page: <http://ssrn.com/author=260022>  
Google Scholar page: <http://scholar.google.com/citations?user=s7ElcsEAAAAJ&hl=en>  
IMDB.com page: <http://imdb.com/name/nm1904564/>  
Blog: <https://nancyrapoports.blog/>

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**EDUCATION**

**Stanford Law School, J.D. (1985)**

*Selected activities and honors:*

- Note Editor, STANFORD LAW REVIEW (1984-85).
- Thesis: *Computer Program for Secured Transactions* (1985).
- Technical assistant in various law school and all-university plays (1983-85).
- First Place, Stanford Women's Intramural Powerlifting Competition (1985).

**Rice University, B.A., *summa cum laude*, Legal Studies and Honors Psychology (1982)**

*Selected activities, honors, and scholarships:*

- Senior Thesis: *The Effects of Time of Day on Cognitive Performance*, Psychology Department (1982).
- Phi Beta Kappa (1981).
- Houston Psychological Association Award for Excellence in Psychology (1982).
- Jones College Scholar (1981-82) and Academic Coordinator, Jones College (1980-82).
- President, Rice Hillel (1980-82).
- Student Advisor, Lovett College (1979-80).
- Member, Student Admissions Committee (1979-82).
- Founder, Rapoport Prize in Legal Studies (1982).
- Scholarships: Max Roy Scholarship (1979-80, 1981-82); Jones College Scholarship (1981-82); Board of Governors Scholarship (1980-81).

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## EMPLOYMENT

### University of Nevada, Las Vegas

- **Special Counsel to the President (2016-18).**
- **Acting Senior Vice President for Finance and Business (summer of 2017).**
- **Acting Executive Vice President & Provost (2015-16).**
- **Senior Advisor to the UNLV President (2014-15) (member of UNLV's Cabinet).**
- **Provost's Leadership Development Academy Coordinator (2013-14); Co-Coordinator (2014-15).**
  
- **William S. Boyd School of Law, University of Nevada, Las Vegas**
  - **UNLV Distinguished Professor (awarded in 2022).**
  - **Garman Turner Gordon Professor of Law (2007-present) (formerly the Gordon Silver Professor of Law).**
  - **Interim Dean (2012-13).**

*Courses:* Basic Bankruptcy Law; Contracts; Professional Responsibility; Seminar on Corporate Scandals; Colloquium on Lawyers in Pop Culture; Business Law & Ethics; Bankruptcy Ethics.

- **Affiliate Professor of Business Law and Ethics, Lee Business School (renewable; 2014-present)**
  - **Co-Chair, Task Force on Scholarship, Lee Business School Strategic Planning Team (2014).**

#### *Responsibilities and Accomplishments as Special Counsel to the President:*

- The Executive Director of the Office of Compliance, the Ombuds Panel, the Special Projects Director, and the Interim Executive Director of the Office of Community Engagement reported to me.
- Coordinated, with Kyle Kaalberg (Special Projects Director), the continued implementation of UNLV's strategic plan (Top Tier). In late 2018, UNLV was added to the list of Carnegie R1 institutions.
- Served as a member of the President's Cabinet.
- Coordinated and monitored compliance activities across UNLV.
- Interacted frequently with members of the Board of Regents and the Nevada System of Higher Education.

#### *Responsibilities and Accomplishments as Acting Executive Vice President and Provost:*

- The deans of the School of Allied Health Sciences, the Lee Business School, the School of Community Health Sciences (now the School of Public Health), the School of Dental Medicine, the College of Education, the Howard R. Hughes College of Engineering, the College of Fine Arts, the Graduate College, the Honors College, the William F. Harrah



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College of Hotel Administration, the William S. Boyd School of Law, the College of Liberal Arts, the School of Medicine (co-reporting to the President), the School of Nursing, the College of Sciences, and the Greenspun College of Urban Affairs all reported to me, as did the Senior Vice Provost, the Vice Provost for Information Technology, the Assistant Vice President of Academic Resources, the Associate Vice Provost for the Office of Decision Support, and the Special Assistant to the Executive Vice President and Provost.

- Chaired the board of directors of UNLV Singapore Ltd.
- Worked with President Jessup, two co-chairs of the Top Tier Plan, and the chairs and co-chairs of five committees, to implement year one of the Top Tier strategic plan.
- Repaired relationships with the Faculty Senate.
- Hired three new deans (Liberal Arts, Fine Arts, and Allied Health) and one acting dean (Sciences).
- Reinstated the three-year dean review process and provided more autonomy to the deans of schools and colleges.

*Responsibilities and Accomplishments as Acting Senior Vice President for Finance & Business:*

- The departments of Planning and Construction, Budgets, Campus Audit, Human Resources, Facilities Management, Administration (Delivery Service, Telecommunication Services, Parking Services, and Real Estate), Risk Management and Safety, Purchasing, and the Controller reported to me.
- Served as a member of the negotiating team for the Las Vegas Stadium (Las Vegas Raiders).
- Repaired a challenging set of internal management issues.

*Responsibilities and Accomplishments as Senior Advisor to the UNLV President:*

- Developed the strategic plan (Top Tier) by working in concert with former Presidents Donald Snyder and Len Jessup, Jim Thomson (the Special Advisor to the President for Regional Development and also the former CEO of the RAND Corp.), our consultants (Academic Leadership Associates), Kyle Kaalberg (then the Special Assistant to the President's Chief of Staff), over 200 stakeholders inside and outside UNLV.
- Continued to serve as the point person for the execution of UNLV's strategic plan during all other central administration roles.

*Responsibilities and Accomplishments as Interim Dean of Boyd School of Law:*

- The Associate Dean for Academic Affairs, the Associate Dean for Student Affairs, the Associate Dean for Administration and External Affairs, the Associate Dean for Faculty Development and Research, the Director of the Wiener-Rogers Law Library, the Director of Information Technology and the Budget Director all reported to me.
- Managed a budget of roughly \$20 million.
- Facilitated the conversion process for legal writing professors to move from long-term contracts to tenure-track positions and facilitated the hiring of two new tenure-track professors.

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- Significant fundraising success; systematized certain internal functions; and facilitated a review of our curriculum.
- *Honors*: Named “Faculty Member of the Year” (and faculty commencement speaker) by Boyd law students in 2021; named “Dean of the Year” by Boyd law students in 2013.

**University of Houston Law Center**  
**Professor of Law (2006-07).**  
**Dean (2000-06).**

*Responsibilities and Accomplishments as Dean:*

- The Associate Dean for Academic Affairs, the Associate Dean for Student Affairs, the Director of the O’Quinn Law Library, the Associate Dean for Information Technology, the Associate Dean for Finance and Administration and Chief Operating Officer of the Law Foundation, the Associate Dean for External Affairs and Executive Director of the Law Foundation, and the Director of CLE all reported to me.
- Presided over a record increase in the amount and size of gifts to the Law Center, even during a downturn in the economy; raised seven new Law Center professorships, in partnership with a special campaign of the University of Houston, in under two months.
- Facilitated the establishment of several new centers, programs, and institutes, including the Criminal Justice Institute, the Institute for Energy, Law & Enterprise (now the Program in Energy, Environment & Natural Resources), and the Center for Consumer Law.
- Reinvigorated the Blakely Advocacy Institute (BAI) and acquired the A.A. White Center for Dispute Resolution as part of the BAI.
- Encouraged the first major revamping of the Law Center’s curriculum in twenty years.
- Hired fourteen new faculty members (three of which hold endowed chairs at the Law Center).
- Facilitated the Law Center’s recovery from the devastation caused by Tropical Storm Allison on June 9, 2001, which poured over 12 feet of water into the Law Center’s sub-basement and destroyed much of its library collection (over 175,000 volumes and 1,000,000 microfiche lost) and all of the Law Center’s facilities. As part of the lessons learned during our recovery, hosted Loyola University New Orleans College of Law after Hurricane Katrina, until it could recover and return to New Orleans.

**University of Nebraska College of Law**  
**Dean and Professor of Law (1998-00).**

*Responsibilities and Accomplishments as Dean:*

- The Associate Dean, the Assistant Dean for Administration and Student Services, the Assistant Dean for Career Services and Alumni Relations, the Director of the Law Library, the Director of Development, the Office Manager, and the Acting Head of the Nebraska Institute for Technology in the Practice of Law all reported to me.

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- Instituted the creation of a new Access database to enable all Law College administrative units to organize and share information; improved our systems for the scheduling of Law College events, the timely review of employees, and the cultivation and stewardship of donors; initiated the design of the new “image” of the Law College; and revamped the furnishings of the student lounge (at zero cost to the Law College).
- Raised significant funds for such needs as scholarships and professorships.
- Encouraged the establishment of new student organizations (including an organization for law students who preferred non-traditional career paths and a GLBT student organization).
- Encouraged the development of a link between an undergraduate “learning community” and the Law College.

**Moritz College of Law, The Ohio State University  
Professor (1998).**

**Associate Dean for Student Affairs (1996-98).**

**Associate Professor (with tenure) (1995-98).**

**Assistant Professor (1991-95).**

*Responsibilities and Accomplishments as Associate Dean for Student Affairs:*

- Assistant Dean of Admissions and Financial Aid, the Financial Aid Counselor and Staff Assistant, and the Placement Director reported to me.
- Counseled potential applicants regarding admission to College of Law and counseled existing students on academic and non-academic issues.
- With our Development Director, facilitated the establishment and maintenance of scholarships and other relationships with donors.

**Morrison & Foerster LLP**

**Associate, Bankruptcy and Workouts Group, Business Department (1986-91).**

- Bankruptcy cases included *In re Toy Liquidating Co. (Worlds of Wonder)*, *Plexus*, *Greyhound*, *Nucorp*, and *California Land & Cattle Co.*
- Significant experience in bankruptcies involving industries such as toy manufacturers, computers, livestock, and television stations.

**The Hon. Joseph T. Sneed, United States Court of Appeals for the Ninth Circuit  
Judicial Clerk (1985-86).**

## **PUBLICATIONS, GRANTS, SPECIAL TRAINING, AND PRESENTATIONS**

### **Works in progress**

- Nancy B. Rapoport, *Training Law Students to Model Civility When Social Media Makes Civility Harder to Maintain*, \_\_\_\_ U. PITT. L. REV. \_\_\_\_ (2023) (invited speaker at *The Jurisprudence and Legacy of the Honorable Joseph F. Weis Jr. Symposium*).

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- Nancy B. Rapoport & Joseph R. Tiano, Jr., *Reimagining "Reasonableness" Under Section 330(a) in a World of Technology, Data, and Artificial Intelligence*, \_\_\_\_ AM. BANKR. L.J. \_\_\_\_ (forthcoming 2023) (peer-reviewed).
- Nancy B. Rapoport, *Review of 2022 Books on Legal Education*, \_\_\_\_ GREEN BAG \_\_\_\_ (2023) (solicited manuscript).
- Nancy B. Rapoport, *Training Law Students to Model Civility When Social Media Makes Civility Harder to Maintain*, University of Pittsburgh School of Law, Symposium on the Jurisprudence and Legacy of the Honorable Joseph F. Weis Jr., \_\_\_\_ U. PITT. L. REV. \_\_\_\_ (2023) (invited speaker).
- Aspen Practice Perfect Series, *Professional Responsibility* (forthcoming 2024) (with Andrew M. Perlman and Melissa B. Shultz).

## Books

- BERNARD A. BURK, VERONICA J. FINKELSTEIN & NANCY B. RAPOPORT, *ETHICAL LAWYERING: A GUIDE FOR THE WELL-INTENTIONED* (Aspen Publishing 2021) (second edition forthcoming 2024).
- NANCY B. RAPOPORT & JEFFREY D. VAN NIEL, *CORPORATE SCANDALS AND THEIR IMPLICATIONS* (3d ed.) (West Academic 2018).
- BLOOMBERG BNA BANKRUPTCY LAW TREATISE, *A TREATISE WITH REAL-TIME UPDATES* (contributing editor) (Bloomberg BNA 2014).
- NANCY B. RAPOPORT & JEFFREY D. VAN NIEL, *LAW FIRM JOB SURVIVAL MANUAL: FROM FIRST INTERVIEW TO PARTNERSHIP* (Wolters Kluwer 2014).
- NANCY B. RAPOPORT & JEFFREY D. VAN NIEL, *LAW SCHOOL SURVIVAL MANUAL: FROM LSAT TO BAR EXAM* (Aspen Publishers / Wolters Kluwer 2010).
- NANCY B. RAPOPORT, JEFFREY D. VAN NIEL & BALA G. DHARAN, *ENRON AND OTHER CORPORATE FIASCOS: THE CORPORATE SCANDAL READER* (Foundation Press 2d ed. 2009).
- STEVEN L. EMANUEL, *STRATEGIES & TACTICS FOR THE MBE* (Aspen Publishers / Wolters Kluwer 2009) (one of several revision authors).
- NANCY B. RAPOPORT & BALA G. DHARAN, *ENRON: CORPORATE FIASCOS AND THEIR IMPLICATIONS* (Foundation Press 2004).
- DAVID B. GOODWIN & NANCY B. RAPOPORT, *AN ORAL HISTORY OF THE HONORABLE JOSEPH T. SNEED*, Ninth Circuit Historical Society (1994) (solicited oral history).

## Reports

- Reporter, American College of Bankruptcy Diversity, Equity, and Inclusion Committee (2022-present).
- Reporter, American College of Bankruptcy Select Commission on Diversity, Equity, and Inclusion (2021-2022).

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- LOIS R. LUPICA & NANCY B. RAPOPORT, CO-REPORTERS, FINAL REPORT OF THE ABI NATIONAL ETHICS TASK FORCE (2013), available at [https://abi-org-corp.s3.amazonaws.com/materials/Final\\_Report\\_ABI\\_Ethics\\_Task\\_Force.pdf](https://abi-org-corp.s3.amazonaws.com/materials/Final_Report_ABI_Ethics_Task_Force.pdf).

### Book chapters

- Nancy B. Rapoport, *Compromising One's Principles: The Lesson of Mahlon Perkins and the Berkey-Kodak Case*, in NANCY B. RAPOPORT & JEFFREY D. VAN NIEL, CORPORATE SCANDALS AND THEIR IMPLICATIONS 545 (3d ed.) (West Academic 2018).
- Nancy B. Rapoport, *Social Media Ethics Missteps for Lawyers (and Others)*, PROCEEDINGS OF THE SIXTIETH ANNUAL ROCKY MOUNTAIN MINERAL LAW INSTITUTE 3-1 (July 2014), available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2557095](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2557095).
- Nancy B. Rapoport, *Analysis and the Arts*, in ZENON BANKOWSKI, MAKSYMILIAN DEL MAR & PAUL MAHARG, THE ARTS AND THE LEGAL ACADEMY: BEYOND TEXT IN LEGAL EDUCATION 101 (Ashgate Press 2012) (solicited essay), available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2464202](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2464202).
- COLLIER COMPENSATION, EMPLOYMENT AND APPOINTMENT OF TRUSTEES AND PROFESSIONALS IN BANKRUPTCY CASES (Lexis-Nexis 2009) (one of several revision authors).
- Nancy B. Rapoport, *Swimming with Shark*, in LAWYERS IN YOUR LIVING ROOM! LAW ON TELEVISION 163 (Michael Asimow, ed., 2009) (solicited manuscript), chapter available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1157053](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1157053).
- Nancy B. Rapoport, *Reflections of a Former Dean*, in LAW SCHOOL LEADERSHIP STRATEGIES: TOP DEANS ON BENCHMARKING SUCCESS, INCORPORATING FEEDBACK FROM FACULTY AND STUDENTS, AND BUILDING THE ENDOWMENT 199 (Aspatore Books 2006) (solicited), abstract available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=979321](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=979321).
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- Nancy B. Rapoport, *Turning the Microscope on Ourselves: Self-Assessment by Bankruptcy Lawyers of Potential Conflicts of Interest in Columbus, Ohio*, 58 OHIO ST. L.J. 1421 (1997), available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=938611](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=938611).
- Nancy B. Rapoport, *Avoiding Judicial Wrath: The Ten Commandments for Bankruptcy Practitioners*, 5 J. BANKR. L. & PRAC. 615 (September/October 1996) (solicited manuscript), available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=940769](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=940769).
- Nancy B. Rapoport, *Seeing the Forest and The Trees: The Proper Role of the Bankruptcy Attorney*, 70 IND. L.J. 783 (1995), available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=938527](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=938527).
- Nancy B. Rapoport, *Worth Reading: Review of Annual Survey of Bankruptcy Law*, TURNAROUNDS AND WORKOUTS (Beard Group, Inc.), January 15, 1995, at 6 (solicited book review).
- Nancy B. Rapoport, *Turning and Turning in the Widening Gyre: The Problem of Potential Conflicts of Interest in Bankruptcy*, 26 CONN. L. REV. 913 (1994), available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=936337](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=936337).

## Op-eds

- Nancy Rapoport & Mary Langsner, *Why does the bankruptcy code discriminate against disabled veterans?*, THE HILL (Jan. 24, 2019), available at <https://thehill.com/opinion/finance/426854-why-does-the-bankruptcy-code-discriminate-against-disabled-veterans>.
- Lois R. Lupica & Nancy Rapoport, *Consumer Debtors Should Not Have To Go It Alone*, DOW JONES DAILY BANKRUPTCY REVIEW (May 1, 2013), available at <http://bankruptcynews.dowjones.com/article?an=DJFDBR0020130501e951qbfa8&from=alert&pid=10&ReturnUrl=http%3a%2f%2fbankruptcynews.dowjones.com%3a80%2farticle%3fan%3dDJFDBR0020130501e951qbfa8%26from%3dalert%26pid%3d10>.
- Nancy Rapoport, *Board Smart Not to Raise the Superintendent Salary Stakes*, LAS VEGAS SUN, September 5, 2010, available at <http://www.lasvegassun.com/news/2010/sep/05/board-smart-not-raise-superintendent-salary-stakes/>.

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- Nancy B. Rapoport, *Enron an Example: Grads Lost in Trees*, HOUSTON CHRONICLE, February 24, 2002, at 4H.
- Nancy B. Rapoport, *Wrestling with the Problem of Potential Conflicts of Interest in Bankruptcy*, 26 BANKRUPTCY COURT DECISIONS WEEKLY NEWS AND COMMENT (LRP Publications), March 7, 1995, at A3 (solicited editorial).

### Grants

- 2002 participant, Harvard Institutes for Higher Education Management and Leadership in Education (MLE) Program (partial scholarship from Harvard, \$1,000 in 2001—had to withdraw, due to the aftermath of Tropical Storm Allison, but returned to participate in 2002).
- 1999 participant, Harvard Institutes for Higher Education Management Development Program (MDP) (partial scholarship from Harvard, \$1,000).
- 1995 Instructional Technology Small Grant (Ohio State funds; \$850).
- 1995 West Publishing/NCAIR Fellow (\$15,000 grant for developing a computer program that teaches law students about conflicts of interest in bankruptcy law).
- 1994 participant in Summer Institute of the Law & Society Association (Wellesley, Massachusetts).
- 1993 University Seed Grant for the study of creditor representation in bankruptcy (1993 grant from Ohio State University's Office of Research & the College of Law).

### Podcasts (as guest speaker)

- PLUS blog (with Joseph R. Tiano, Jr.), *Becoming an LPL "Precog"*, <https://plusblog.org/2022/10/10/plus-podcast-becoming-an-lpl-precog/>.
- Jay Edelson, NON-COMPLIANT, *Episode 13: The One Where Professor Nancy Rapoport Discusses the Future of Law Firms*, July 1, 2020, available at <https://podcasts.apple.com/us/podcast/episode-13-one-where-professor-nancy-raपोपोर्ट-discusses/id1491233296?i=1000481718338>.
- Jay Edelson, NON-COMPLIANT, *Episode 14: The (Second) One Where Professor Nancy Rapoport Discusses the Future of Law Firms*, July 13, 2020, available at <https://podcasts.apple.com/us/podcast/episode-14-second-one-where-professor-nancy-raपोपोर्ट/id1491233296?i=1000484787064>.

### Selected academic presentations

*Anthropology of higher education / higher education generally*

- Society for Applied Anthropology's 79<sup>th</sup> annual meeting, *Moving Seamlessly From Faculty Status to Administrator and Then Back Again* (March 2019).
- Society for Applied Anthropology's 78<sup>th</sup> annual meeting, *Concentric and Overlapping Circles of Leadership in Higher Education* (April 2018).
- Society for Applied Anthropology's 77<sup>th</sup> annual meeting, *Women and Diversity: Being a "First"* (March 2017).

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- Presentation at 2010 Annual Meeting of Association of American Law Schools, Section on Women in Legal Education, *Succeeding in Legal Education* (January 2010).
- Presentation at 2009 Annual Meeting of Association of American Law Schools, Committee on Curriculum Issues, *Redesigning Legal Education* (January 2009).
- Presentations at the 2007 Annual Meeting of Association of American Law Schools:
  - *Workshop on the Ratings Game (or Not!): The Search for Sensible Assessment*, moderator for plenary discussion, *We Didn't Even Bring the Box: A Roundtable Discussion on Creative Alternatives*, <http://www.aals.org/am2007/wednesday/ratings.html>.
  - Panelist, Section on Continuing Legal Education, Co-Sponsored by Section on Professional Responsibility, *Legal Ethics CLE in the Law School Setting: Can It Be Practical, Academic, and Interesting at the Same Time?*
  - Panelist, Section for the Law School Dean, *What I Wish I Had Known Then: A Conversation Among Deans*.
- Symposium at Indiana University-Bloomington School of Law, *Eating Our Cake and Having It, Too: Why Real Change Is So Difficult in Law Schools* (March 2005).
- “Better Learning, Better Lawyers” Conference, *Legal Education in the 21<sup>st</sup> Century: Radical Design for a Changing Profession* (August 2002).
- Moderator of plenary session of the Annual Meeting of Association of American Law Schools, *Mini-Workshop on Major Issues of the 21<sup>st</sup> Century: The Impact on the Legal Academy and Law Students* (January 2000).

*Social science and ethics / social science and governance / social science and lawyer behavior / bankruptcy law*

- University of Pittsburgh School of Law, *Irrepressible Civility, Professionalism, and Ethics in Defining the Lawyering Career*, Symposium on The Jurisprudence and Legacy of the Honorable Joseph F. Weis Jr. (with Abraham C. Reich and Nathan M. Crystal) (March 2023).
- The Stein Center for Law and Ethics, Fordham University School of Law, Colloquium on Corporate Lawyers, *Using General Counsel to Set the Tone for Work in Large Chapter 11 Cases* (October 2019).
- Pontificia Universidad Javeriana Cali (Colombia)’s International Congress of Corporate Law, *Corporate Social Responsibility and Social Science* (November 2017) (invited speaker).
- Colombia’s Superintendency of Companies, *Corporate Governance, Compliance and Business Ethics* (May 2016) (invited speaker).
- Colombia’s Superintendency of Companies, Responsibility of Administrators and Business Ethics Seminar, *Why Smart People Make Bad Decisions* (March 2015) (invited speaker).
- Boyd School of Law, Conference on Psychology and Lawyering: Coalescing the Field, *Using Psychology to Change Law Firms’ Default Incentive Structures* (with Randy D. Gordon) (invited panelist) (February 2014).
- The Ohio State University Moritz College of Law, faculty workshop presentation on “Nudging” Better Lawyer Behavior: *Using Default Rules and Incentives to Change Behavior in Law Firms* (November 2013).
- The Joseph G. Miller and William C. Becker Center for Professional Responsibility’s Symposium on Navigating the Practice of Law in the Wake of Ethics 20/20, *What It Means To Be a Lawyer in These Uncertain Times (Part I)* (invited panelist) (April 2013).

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- Roger Williams University School of Law, Women Who Lead Series, *Why the World Needs Nay-Sayers* (keynote speaker) (March 2010).
- Distinguished Lecturer, The Chapman Dialogue Series, Chapman University School of Law, *Why No Amount of Regulation Is Likely to Prevent Corporate Scandals* (February 2010).
- Association of American Law Schools, Annual Meeting, Section on Continuing Legal Education (co-sponsored by Section for the Law School Dean), *Exploring the Options for the Future of Legal Education* (with Kellye Y. Teste, Daniel McCarroll, Gary A. Munneke, and Ellen Y. Suni) (January 2010).
- Presentation at Fordham Law School's Colloquium, *The Lawyers' Role in a Contemporary Democracy* (with Colin Marks) (September 2008).
- Adjunct professor, St. John's University School of Law, LL.M. in Bankruptcy Program (Enron seminar), St. John's University School of Law Faculty, *Enron: Is It Still Relevant?* (March 2006 & March-April 2007).
- AALS Workshop—Do You Know Where Your Students Are? Langdell Logs On to the 21<sup>st</sup> Century, AALS Annual Meeting, *The Changing Face of the Deanship* (January 2002).
- The 2001 Legal Ethics Conference, Hofstra University School of Law, *Legal Ethics—What Needs Fixing?* (September 2001).
- AALS Bankruptcy Workshop, *Teaching Bankruptcy as a Vehicle for Teaching Other Values* (May 2001).
- ALWD (Association of Legal Writing Directors) Biennial Conference, *Do "Best Practices" in Legal Education Include an Obligation to the Legal Profession to Integrate Theory, Skills, and Doctrine in the Law School Curriculum?* (July 2001).
- AALS Workshop for New Law Teachers, *Satisfying Your Multiple Constituencies (How Your Dean Can Help)* (July 2000 & July 1999).
- Annual Meeting of the Association of American Law Schools, Creditors' & Debtors' Rights Section, *Local Cultures + Judicial Discretion = National Confusion?: Equities, Equations, and the "Uniformity" of the Bankruptcy Code* (January 1998).

### **Selected continuing legal education programs and other professional presentations**

#### *Legal education / the legal profession generally*

- *Convergence of Legal Risk Management and Business Strategy Consulting*, Legal Foresight Summit (with David Kamien, Scott Leeb, and Mark Ford) (March 2023).
- *Using Data Analytics to Predict an Individual Lawyer's Legal Malpractice Risk Profile*, General Counsel Roundtable (with Joseph R. Tiano, Jr.) (June 2022).
- *Navigating Ethical Issues in the New Remote World*, 128<sup>th</sup> Annual Convention of the Commercial Law League of America (keynote) (May 2022).
- *Ethics in the Movies: Lessons for Real Life*, United States District Court Conference, District of Nevada (plenary) (May 2022).
- *The Specter of Malpractice*, General Counsel Roundtable (with Joseph R. Tiano, Jr.) (April 2022).

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- *Leveraging Legal Analytics and Spend Data as a Law Firm Self-Governance Tool*, Arizona State University's 7<sup>th</sup> Annual Conference on the Governance of Emerging Technologies & Science: Law, Policy & Ethics (with Joseph R. Tiano, Jr.) (May 2019).
- 2019 Mid-Year Meeting, National Organization of Bar Counsel, *A Look Inside the Incubator—The Challenges Facing Today's Law Students, Law Schools, and Newly-Minted Lawyers* (with Nelson Page and Ari Telisman) (January 2019).
- Law School Admission Council's Annual Meeting, *"Soothing the Savage Beast": The Art of Working Effectively With Difficult People* (with Floyd Weatherspoon) (June 2011).
- Houston Bar Minority Opportunities in the Legal Profession Committee & Minority Corporate Counsel Association: Business Development in a Belt-Tightening Economy, *Overcoming Barriers and Opening Doors to Your Personal Success* (February 2002).
- LSAC Academic Support Conference, *Why Support Academic Support Programs?* (June 2000).
- LSAC Annual Meeting, *Establishing a Partnership With a New Dean* (June 2000).
- American Bar Association's Workshop for New Law Deans, *Reflections of an Ex-Novice Dean* (June 1999).
- Annual Conference of the National Association for Law Placement, *Reliable Evaluation of Law Schools: Going Beyond Law School Rankings* (April 1999).

#### *Bankruptcy / Ethics*

- American College of Bankruptcy, *Attorney Fees in Consumer Cases: A Policy and Ethics Discussion* (with Joyce Babin and Areya Holder Aurzada) (March 2023).
- American Bankruptcy Institute, Winter Leadership Conference, *Don't Just Say No: Technology, Ethics and the Changing Practice of Law* (with Prof. Lois Lupica and Joseph R. Tiano, Jr.) (December 2022).
- State Bar of Montana, Annual Meeting of Bankruptcy Section, *Billing Judgment* (July 2022).
- Annual meeting of the National Association of Chapter 13 Trustees, *Ethical Implications of Remote Lawyering Post-Pandemic* (plenary) (July 2022).
- Ninth Circuit Conference of Chief Bankruptcy Judges, Bankruptcy Court Clerks and Bankruptcy Lawyer Representatives, *Billing Judgment* (March 2022).
- Annual Meeting of National Conference of Bankruptcy Judges, *Start Your Engines! Jeopardy—the Broken Bench Edition* (with Demetra Liggins and Judges Pamela Pepper and Catherine J. Furay) (October 2021).
- Los Angeles Chapter, Federal Bar Association, 17<sup>th</sup> Annual Bankruptcy Ethics Symposium, keynote address, *Telling the Story on Your Timesheets: A Fee Examiner's Tips for Creditors' Lawyers and Bankruptcy Estate Professionals* (November 2020).
- AMERICAN BANKRUPTCY INSTITUTE LAW REVIEW panel discussion, *Professional Fees in Bankruptcy* (with co-panelists Judge Kevin Carey, attorney Douglas Deutsch, Professor Stephen Lubben, and Professor John Pottow) (April 2019).
- National Conference of Bankruptcy Judges, NCBJ Plenary: *Broken Bench Awards Show: The Best Little Show in Texas* (October 2018).
- ABI 38<sup>th</sup> Annual Midwestern Bankruptcy Institute, *Sanctions and Social Science* (October 2018) (with Adam Miller).

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- Fifth Annual James T. King Bankruptcy Symposium, *Ethics and Getting Paid* (July 2018) (with the Hon. Erithe A. Smith and M. Jonathan Hayes).
- American Bankruptcy Institute, VALCON 2018, *Special Problems Presenting Financial Consultants as Expert Witnesses and Ethics Hot Topics* (May 2018) (with Michael Richman, George Angelich, and Ted Gavin).
- American Bankruptcy Institute's Annual Spring Meeting, *Ethics Jeopardy* (with Nan Roberts Eitel, Lois Lupica, and Bill Rochelle) (April 2017).
- American Bankruptcy Institute's Annual Spring Meeting, *A Primer on Dealing with Fee Examiners* (with Van Durrer, II, William K. Harrington, Robert J. Keach, and John F. Theil) (April 2016).
- 29<sup>th</sup> Annual Central California Bankruptcy Institute, *How to Use Social Science to Improve Ethics in a Law Firm* (September 2015).
- 89<sup>th</sup> Annual National Conference of Bankruptcy Judges, *Ethics and Social Media* (panel discussion with the Hon. Hannah Blumenstiel and Peter Fessenden) (September 2015).
- National Association of Legal Fee Analysts (NALFA) webinar, *Bankruptcy Fee Examiners in Large Chapter 11 Cases* (panel discussion with Walter W. Theus, Jr., Senior Trial Attorney, USDOJ U.S. Trustee Program and Jeffrey L. Cohen, Partner, Cooley, LLP) (May 2015).
- Bankruptcy Section of the Federal Bar Association and the Los Angeles Chapter of the Federal Bar Association, 11<sup>th</sup> Annual Bankruptcy Ethics Symposium, *An Ethics Conversation* (with Gillian N. Brown) (November 2014).
- Texas Bankruptcy Law Section Bench/Bar Conference, *Recent Attorney Fee Issues* (June 2013).
- Rocky Mountain Bankruptcy Conference: IWIRC session on bankruptcy ethics; keynote speaker on *Bankruptcy Ethics in Pop Culture* (January 2013).
- Speaker at three sessions of the 86<sup>th</sup> Annual National Conference of Bankruptcy Judges: ABA session on *Ethical Issues Involving Pro Bono Representation: Spotting the Issues, Solving the Problems*; NCBJ session on *The Ethics of Organizers—Ethical Challenges in Forming Official and Unofficial Committees*; and CLLA session on *Pre-Bankruptcy Ethics—How to Avoid the Minefields Before Battle Begins* (October 2012).
- Sacramento Valley Bankruptcy Forum's 11<sup>th</sup> Annual Northern California Bankruptcy Conference, *Stupid Lawyer Tricks* (March 2012).
- National Association of Bankruptcy Trustees' Spring Meeting, panelist on *Friend Me? Ethics and Professionalism Issues Related to the Use of Social Media* (March 2012).
- ABA Business Law Section's Annual Spring Meeting, panelist for the sessions on *Ethical Issues in Commercial Transactions*, *Should In-House Counsel Be Navigating in the Choppy Waters of Corporate Compliance?*, and *Consumer Bankruptcy Clinics for Law Schools* (March 2012).
- Southeastern Bankruptcy Law Institute, SBLI Visiting Scholar Presentation, *The Case for Value Billing in Chapter 11* (October 2011).
- Bankruptcy Law Section of the State Bar of Texas Bench/Bar Conference, "Money, Money, Money" -- *Red Flags to Fee Examiners and Solutions to Those Red Flags* (with the Hon. H. Christopher Mott, Kemp Sawers, and Warren H. Smith) (June 2011).
- American Bankruptcy Institute's Annual Spring Meeting, *Fulfilling the Fiduciary Duty in a Complex Commercial World* (with Richard M. Meth & Judith Greenstone Miller (plenary) (April 2011).



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- Annual Meeting of National Conference of Bankruptcy Judges, *(Almost) Everything You Wanted to Know About...Getting Retained and Committee Solicitation Issues – The Problems, the Rules and the Enforcers* (October 2009).
- ABI Southwest Bankruptcy Conference, *Multimedia Ethics Presentation; Perspectives from the Bench and Ethical Issues*; and *Ethics—Walking in the Grey Areas: Advising Clients and Avoiding Pitfalls in Ethically Unsettled Areas* (September 2009).
- ALI-ABI Live Telephone Seminar and Audio Webcast: Ethics and Professionalism Series, *When Bankruptcy Comes Calling on Your Client: Five Common Ethical Mistakes* (April 2009).
- ABI Annual Spring Meeting, *Multimedia Ethics Presentation* (plenary) (April 2009).
- Alaska Bar Association and Alaska Bankruptcy Bar, *Ethics and Popular Culture and Issues in Bankruptcy Ethics* (March 2009).
- National Conference of Bankruptcy Judges, 82d Annual Conference, *Ethical Fee Limits: Getting Paid and Getting What You Deserve* (Sept. 2008).
- American Bankruptcy Institute's 16<sup>th</sup> Annual Southwest Bankruptcy Conference, *Multimedia Ethics Extravaganza* (plenary) (Sept. 2008).
- National Conference of Consumer Bankruptcy Attorneys, 16<sup>th</sup> Annual Conference, *Ethics Issues* (May 2008).
- American Bankruptcy Institute's 26th Anniversary Annual Spring Meeting, *Beyond Ethics: The Coexistence of Zealousness, Professionalism and Civility in the Insolvency Community* (April 2008).
- American Bankruptcy Institute's 19<sup>th</sup> Annual Winter Leadership Conference, *Presentation of Fee Study* (February 2008).
- National Conference of Bankruptcy Judges, 81<sup>st</sup> Annual Conference, Commercial Law League of America's 22nd Annual Educational Program's panel on *Preemption and Federalism Issues in Bankruptcy* (October 2007).
- American Bankruptcy Institute's 15<sup>th</sup> Annual Southwest Bankruptcy Conference, *Ethics: Negotiating the Sanctions Minefield* (September 2007).
- American Bankruptcy Institute's 25<sup>th</sup> Annual Spring Meeting, *The Application of State Ethics Rules in Bankruptcy: Are We Just Holding Our Noses and Looking the Other Way?* (April 2007).
- 25<sup>th</sup> Anniversary Jay L. Westbrook Bankruptcy Conference, University of Texas CLE (with Martin Bienenstock), *Conflicts Writ Large: Intercreditor Issues and Issues with Fees and Overbilling* (November 2006).
- Annual Meeting of National Conference of Bankruptcy Judges, ABA Luncheon Meeting, *Examining the Examiner* (October 2004).
- Annual Meeting of National Conference of Bankruptcy Judges, *Current Bankruptcy Ethics Issues: It's Not That You Ought To! It's That You "Got To!"* (October 2004).
- Commercial Law League of America, Annual Meeting, *Bankruptcy Ethics* (April 2003).
- 4<sup>th</sup> Annual Barry L. Zaretsky Roundtable, Brooklyn Law School, *Ethics, Governance, and Bankruptcy After Enron* (April 2003).
- The University of Texas School of Law CLE: The 21<sup>st</sup> Annual Bankruptcy Conference & Personal Injury Conference, *Debtor Wrongdoing: Ethical Implications for Lawyers* (November 2002).
- National Association of Bankruptcy Trustees, Annual Conference, *What's Wrong With Us??!!—A Fascinating Look at Ourselves, Through the Eyes of Judges and Others* (August 2002).

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- 10<sup>th</sup> Annual Southwest Bankruptcy Conference, American Bankruptcy Institute, *A Look Inside the Mega-Case* (September 2002).
- 20<sup>th</sup> Annual Bankruptcy Conference, University of Texas Law School, *Bankruptcy Ethics—How Do We Find Out What We’re Doing Wrong (Or Right)?* (November 2001).
- Annual Meeting of National Conference of Bankruptcy Judges, *Tell Me What You Really Want—How Behavior (On Both Sides of the Bench) Can Impact Your Case* (October 2001).
- Winter Leadership Conference, American Bankruptcy Institute, *Bankruptcy Ethics* (December 2000).
- Twenty-Fourth Annual Bankruptcy Law & Practice Seminar, Stetson University College of Law, *Ethical Problems: Dual Representation in Chapter 11*, and *Ethics: Pre-Bankruptcy Planning and Ethical Limitations* (December 1999).
- Annual Meeting of National Conference of Bankruptcy Judges, *Disinterestedness and the Chapter 11 Professional* (October 1997).
- Eastern District of Pennsylvania Bankruptcy Conference, *Bankruptcy Issues* (January 1996, January 1997, January 1998, and January 1999).

*Social science generally / social science and ethics*

- General session, International Conference of Shopping Centers, U.S. Law Conference, *Ethics Wise and Wonderful: Traditional Rules, Modern Trends* (general session) (with John G. Cameron, Jr.) (October 2022).
- The Annual CLLA Luncheon at the National Conference of Bankruptcy Judges, *Brave New World: Ethics Issues That We Never Knew We Had* (October 2022).
- General session, *Teams, Cognitive Errors, and Legal Ethics*, International Council of Shopping Centers, U.S. Law Conference (October 2020) (virtual presentation).
- Southeastern Bankruptcy Law Institute, *Life in the Time of COVID: Ethical Issues Facing Attorneys During the Pandemic* (with Judges Bess Creswell and James Sacca and George L. Washington, Jr.) (May 2021).
- Plenary session, *Ethics and Professionalism: Why Lawyers Do Dumb Things—The Social Science Reasons*, National Association of Chapter 13 Trustees, 54<sup>th</sup> Annual Meeting (with Mary K. Viegelahn (July 2019).
- *What Social Science Can Teach Us About Good People and Bad Choices and Images of Lawyers in Film: Legal Ethics and the Movies*, 2018 American Bankruptcy Institute Midwest Regional Seminar (August 2018).
- 2017 Mutual Funds and Investment Management Conference, *Building Successful and Ethical Teams* (March 2017).
- National Association of Estate Planners’ 52<sup>nd</sup> Annual Conference, *Nudging More Ethical Behavior Through Incentives and Checklists* (November 2015).
- The Eugene Kuntz Conference on Natural Resources Law and Policy, *Nudging Better Behavior: How Social Science Can Help Us Make Better Decisions* (November 2015).
- Institute for Energy Law, 66<sup>th</sup> Annual Oil & Gas Conference, “Nudging” Better Behavior (February 2015).
- National Association of Estate Planners and Councils, 50<sup>th</sup> Annual Conference, *Social Science, Human Error & Behavior* (November 2013).

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- ABA Annual Meeting, Business Law Section, *Cognitive Biases, Blind Spots, and Other Impairments of Ethical Vision: How Good Lawyers Can Go Astray* (with Dr. Larry Richard, James Jones, and Charles McCallum) (August 2013).

#### *Judicial ethics*

- Federal Judicial Center Workshop for Bankruptcy Judges, *(NOT) Ripped from the Headlines: Navigating Ethical Issues and Instilling Public Confidence in the Judicial System* (with the Hon. Christopher M. Alston, the Hon. D. Sims Crawford, and the Hon. Michele J. Kim) (plenary sessions) (April 2022; July 2022).
- Federal Judicial Center Workshop for Bankruptcy Judges, Plenary Session, *Judicial Ethics—Words Matter* (with the Hon. John Hoffman, Jr. and the Hon. Peter W. Bowie (Ret.)) (plenary sessions) (April 2021; July 2021).
- Federal Judicial Center, *Judicial Ethics* (with the Hon. Peter Bowie, the Hon. Arthur Federman, and Prof. Elizabeth Thornburg) (plenary sessions) (April 2013; August 2013).
- College for New Judges, Texas Center for the Judiciary, *Images of Judges in Movies* (December 2002 & November 2003).

#### *Corporate ethics*

- Summit for Corporate Governance, *“If You Don’t Know, Now You Know”: A Guide to a Board’s Role in Managing (Unexpected) Risk in the Aftermath of the COVID-19 Pandemic* (with Michael J. Bonner, John Holland, and Jordan Rae Kelly) (September 2021).
- Boyd School of Law Summit on Corporate Governance, in partnership with Greenberg Traurig, LLP: as a moderator, *Asleep at the Switch: Lessons Learned from the Failure of Board Oversight In Recent Corporate Scandals and Cybersecurity Gaffes* (with panelists Cuneyt Akay, Paul Ferrillo, and Jordan Kelly, and as a panelist, *Not Too Much, Not Too Little: What is Just Right?: Challenges Faced in Executive and Board Compensation* (with co-panelist Laura Wanlass and moderator Flora Perez (November 2019).
- Department of Energy & Contractor Attorneys’ Association, Inc.’s Annual Meeting, *Ethics in the Corporate World* (May 2009).
- *Lessons To Be Learned From the Rise and Fall of High-Profile Corporate Entities—The Scandals—How to Identify Red Flags in Revenue Reporting and Financial Statements* (NACD Houston Chapter, Sept. 2004) (with Bala G. Dharan and Steven C. Currall).
- State Bar of Texas Annual Meeting, Business Law & Corporate Counsel Sections, *Moral Independence of Lawyers vs. Moral Interdependence* (June 2003).
- Southeastern Finance Association and Southern Academy of Legal Studies, *Corporate Scandals (Enron, Andersen, Tyco & World Com)—What Went Wrong?* (keynote speaker) (March 2003).
- The University of Texas School of Law CLE: The 24<sup>th</sup> Annual Corporate Counsel Institute, *Conflicts, Ethical Duties and Independence: Lessons from Enron* (August 2002).
- NASA National Managers Association, *Lessons in Character from Enron* (April 2002).
- The University of Texas School of Law CLE: The 25<sup>th</sup> Annual Page Keeton Products Liability & Personal Injury Conference, *Dressed for Excess* (November 2001).

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### *Women*

- Gardere Women's Council Ethics CLE, keynote speaker, *Women on Boards* (June 2013).
- State Bar of Texas Annual Meeting, Women & the Law Section, *Images of Women Lawyers in the Media* (June 2003).

### *Miscellaneous*

- Emanuel Bar Review Lecturer (2008-2010).
- BAR/BRI, lecturer on *Succeeding in Law School* (2002-2006).

### **Selected media appearances**

- Appearances on a variety of local, national, and international news broadcasts, and in local, national, and international news articles, on various bankruptcy, corporate law, and other legal issues, including the Enron bankruptcy case, the Arthur Andersen trial, and the Anna Nicole death (December 2001-present).
- Appeared in Academy Award®-nominated documentary, *Enron: The Smartest Guys in the Room* (Magnolia Pictures 2005).

### **Special training**

- Attended three Harvard Institutes of Higher Education leadership programs (IEM in 2016, MLE in 2002, and MDP in 1999).
- Attended STAR: A Systematic Approach to Mediation Strategies, Straus Institute for Dispute Resolution, Pepperdine University School of Law (June 2008) (attended on a grant from Pepperdine).

### **Contributor to the following blogs**

- ABOVE THE LAW, <https://abovethelaw.com/>.
- NANCY RAPOPORT'S BLOG, <https://nancyrapoports.blog/>.
- NANCY RAPOPORT'S BLOGSPOT (former blog), <http://nancyrapoport.blogspot.com/>.
- LAW SCHOOL SURVIVAL MANUAL, <http://lawschoolsurvivalmanual.blogspot.com/>.
- CORPORATE SCANDAL WATCH, <http://corporatescandalwatch.blogspot.com/>.
- UNLV LAW BLOG, Contributing Editor, <http://unlvlawblog.blogspot.com>.
- MONEYLAW, Contributing Editor, <http://money-law.blogspot.com/>.
- LEGAL PROFESSION, Contributing Editor: [http://lawprofessors.typepad.com/legal\\_profession/](http://lawprofessors.typepad.com/legal_profession/).
- JURIST, Contributing Editor, <http://jurist.law.pitt.edu/>.
- CREDIT SLIPS, Guest Blogger, <http://www.creditslips.org/>.
- THE FACULTY LOUNGE, Guest Blogger, <http://www.thefacultylounge.org/>.
- THE CONGLOMERATE, Guest Blogger, <http://www.theconglomerate.org/>.
- FEMINIST LAW PROFESSORS, Guest Blogger, <http://feministlawprofs.law.sc.edu/>.

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- RACE TO THE BOTTOM, Guest Blogger, <http://www.theracetothetbottom.org/home/>.

## **HONORS, BAR ADMISSIONS, MEMBERSHIPS, AND COMMUNITY SERVICE**

### **Selected honors**

- Recipient of the 2022 UNLV Alumni Association's Outstanding Faculty Member of the Year Award.
- Named a UNLV Distinguished Professor in 2022.
- ABI Task Force For Veterans and Servicemembers' Affairs Challenge Coin (2019).
- Recipient of one of the NAACP Legacy Builder Awards (Las Vegas Branch #1111) (2018).
- Commercial Law League of America's Lawrence P. King Award for Excellence in Bankruptcy (2017).
- Inducted into Phi Kappa Phi, Chapter 100 (2017).
- Southeastern Bankruptcy Law Institute Distinguished Visiting Scholar (week-long visits at Georgia State College of Law) (2011).
- 2008 Public Service Counsel of the Year, 4<sup>th</sup> annual event, Association of Media and Entertainment Counsel (2009).
- Fellow, American College of Bankruptcy (2005-present) (Class 16).
- Named a "Woman of Vision" by the Houston Delta Gamma Foundation (2004).
- Admitted to American Leadership Forum, Class XXII (2004). Withdrew due to family illness.
- Named "Best Local Girl Made Good," HOUSTON PRESS, September 25, 2003, at 24.
- Fellow, American Bar Foundation (2002-present; Life Fellow since 2015).
- Rice University Distinguished Alumna (2002).
- Named by the Greater Houston Area Chapter of the National Council of Jewish Women as a "Woman of Influence" (2001).
- Elected to membership in the American Law Institute (2001).
- Named a Legal Pioneer for Women in the Law (first woman to serve as the dean of a Nebraska law school), Nebraska State Bar Association (2000).
- Louis Nemzer Memorial Lecture (yearly lecture honoring a Jewish member of the Ohio State faculty) (1998).
- Outstanding Professor of the Year, The Ohio State University College of Law (third-year students voting) (co-winner, with Professor Barbara Rook Snyder) (1997).

### **Bar admissions**

- United States District Court, District of Nevada (2009).
- Nevada Supreme Court (2007).
- United States District Court, Northern District of Texas (2003).
- Texas Supreme Court (2001).
- United States Supreme Court (2000).

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- Nebraska Supreme Court (1999).
- Ohio Supreme Court (1993).
- United States District Court for the District of Hawaii (1988).
- California Supreme Court (1987).
- United States Court of Appeals for the Ninth Circuit (1987).
- United States District Courts for the Northern, Eastern, Central, and Southern Districts of California (1987).

### **Editorial boards**

- AMERICAN BANKRUPTCY LAW JOURNAL ADVISORY BOARD (three-year term, starting in 2023).
- THE BUSINESS LAWYER (2014-present).
- REYNOLDS COURTS & MEDIA LAW JOURNAL (2011-2013).
- Association of American Law Schools, JOURNAL OF LEGAL EDUCATION (2007-2010).
- State Bar of Texas, TEXAS BAR JOURNAL Board of Editors (2003-06); State Bar of Texas, TEXAS BAR JOURNAL, Editorial Board Committee (2001-2004).
- CALIFORNIA BANKRUPTCY JOURNAL (1995-2002).

### **Selected board memberships**

- Claremont Graduate University Board of Trustees (2021-present) (serving on Academic Affairs, Audit, and Student Success committees, 2021-23); Vice-Chair, Audit and Risk Management Committee, 2022-2023); Chair, Audit and Risk Management Committee (2023-present).
- Setona Sub-HOA Board (President, 2021-present).
- Rice University, External Advisory Board, Center for Teaching Excellence (2019-present); Chair (2022-present).
- Nevada Board of Bar Examiners (2018-2020).
- Economic Club of Las Vegas (2017-present).
- National Museum of Organized Crime & Law Enforcement (“The Mob Museum”) (2013-2022); Secretary of the Board (2016-2022); Member, Advisory Council (2022-present).
- JURIST Board of Directors (<http://jurist.law.pitt.edu/>) (2008-2014).
- American Bankruptcy Institute Board of Directors (2008-2017); Executive Committee (2012-2016); Vice President of Research Grants (2013-2016).
- American Board of Certification (board certification for bankruptcy lawyers) (2007-2014) (Dean of Faculty, 2011-2013).
- Association of Rice Alumni Board (2006-2009).
- NALP Foundation for Law Career Research and Education (2005-2009).
- Texas Center for Legal Ethics (2004-2006).
- Texas Supreme Court Historical Society (2004); Advisory Board (2004-2006).
- Vinson & Elkins Women’s Initiative Advisory Board (2003-2010).
- Houston Area Women’s Center (2003-2006).

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- Advisory Council Member, WWW United, Inc. (2002-2006).
- Texas Environmental Health Institute (a joint project of the Texas Department of Health & the Texas Natural Resource Conservation Commission, which is the Texas Commission on Environmental Quality (TCEQ)) (2002-2004).
- Houston World Affairs Council (2002-2005).
- Houston Hillel (2002-2007).
- Mayor's Advisory Board of World Energy Cities Partnership (2001-2004).
- Houston Disaster Relief Advisory Board (2001-2004).
- Houston Chapter of the Texas General Counsel Forum (2001-2005).
- Anti-Defamation League Southwest Regional Board (2001-2006).
- Law School Admission Council Board of Trustees (2001-2004).

### **Selected service activities and memberships**

- Member, Foundational Subject Requirement and Performance Test Task Force, Nevada Supreme Court Bar Licensing Commission (2023-present).
- Member, American Bar Association's Business Law Section, Corporate Governance Committee, Academic Affairs Subcommittee (2022-present).
- Member, Association of Professional Responsibility Lawyers (2022-present; 2014-16).
- (Co-Chair (with Joseph R. Tiano, Jr.) of SALI project to develop a bankruptcy taxonomy (2021-present) (sali.org).
- Member, Operation Stand-By, militaryprobono.org (2021-present).
- Secretary and Reporter, American Bankruptcy Institute's Task Force for Veterans and Servicemembers Affairs (2018-present).
- Member, Federal Bar Association's Professional Ethics Committee (2018-present); Ethics Hotline subcommittee (2018-2019); Co-Chair, Speakers' Bureau, 2019-present).
- Member, Heterodox Academy (2017-present).
- Member, Society for Applied Anthropology (2017-present).
- Member, National Association of Legal Fee Analysts (2014-2018) (resigned).
- Member, Law School Admission Council Diversity Retention Workshop 2015 Planning Work Group (2014-2015).
- Member, Federalist Society (2013-present).
- Member, Federal Bar Association (2012-present).
- Member, Advisory Committee to the American Bankruptcy Institute's Commission to Study the Reform of Chapter 11 (2012-2015) (Governance Subcommittee).
- Co-Reporter, American Bankruptcy Institute's National Ethics Standards Task Force (2011-2013).
- Co-Chair, American Bankruptcy Institute's Task Force on Young and New Members (2011-2012).
- Association of Media and Entertainment Counsel, Law School Section (Co-Chair, 2010-2011; member and temporary Co-Chair, 2012-2013); member, Law School Advisory Board (2014); Chair, Law School Advisory Board (January 2018-present).

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- American Bar Association, Section on Legal Education, Committee on Law School Administration (2008-2010); Chair-Elect (2010); Chair (2011-2013).
- American Bar Association, Section on Business Law, Committee on Corporate Counsel, Subcommittee on Corporate Governance (co-chair, with Roberta Torian) (2007-2010).
- Advisory Committee, American Bankruptcy Institute's consumer bankruptcy fee study (advisor to Professor Lois Lupica) (2008-2011).
- Rice Alumni Volunteers for Admission (2007-present) and liaison for RAVA to Association of Rice Alumni Board (2007-2009); involved in Rice Annual Fund solicitations since 2007.
- Advisory Committee, American Bankruptcy Institute's Chapter 11 fee study (advisor to Professor Stephen Lubben) (2005-2007).
- American Bankruptcy Institute's Task Force on Pro Bono (2007).
- American Bar Association's Task Force on Attorney Discipline (2005).
- Planning committee for 2007 Annual Meeting of Association of American Law Schools, *Workshop on The Ratings Game* (2006-2007).
- City of Houston Mayor's Pension Governance Advisory Committee (2004-2006).
- American Bar Association, Advisory Group on Loan Repayment, Standing Committee on Legal Aid & Indigent Defendants (SCLAID) (2003-2006).
- Faculty member, ABA New Deans' School (May-June 2003, June 2004, and June 2005).
- Advisory Committee, Baylor College of Medicine-UH Law Center MD/JD Program (2004-2006).
- Academic advisor, National Governmental Affairs Committee, Commercial Law League of America (CLLA) (2002-2006).
- Co-chair (with Dean Stuart Deutsch), ABA Deans' Workshop (for mid-year ABA meeting in 2003).
- Advisory Committee, *The Birth of the Dot-Com Era*, project for the Library of Congress (Project Manager, Prof. David Kirsch, University of Maryland) (advising the Library of Congress on what to do with the records of now-defunct law firm of Brobeck, Phleger & Harrison) (2004-2007).
- National Association of Corporate Directors (2004-2006).
- Commercial Law League of America, Professional Responsibility Committee (2003-2005).
- Member, ABA Commission on Loan Repayment & Forgiveness (2001-2003).
- Member, AALS Professional Development Committee (2000-2003).
- Communication Skills Committee, ABA Section of Legal Education and Admissions to the Bar (1998-2002).
- Chair, AALS Planning Committee for the *Mini-Workshop on Major Issues of the 21<sup>st</sup> Century: the Impact on the Legal Academy and Law Students* (1999-2000).
- Member, Law School Admission Council (LSAC) Services & Programs Committee (1999-2000), Workgroup on Alternative Admissions Models (2000-2003), and Gay, Lesbian, Bisexual & Transgendered Issues Workgroup (2000-2001).
- Nebraska State Bar Association (1999-present).
- National Association of College & University Attorneys (1998-2006).
- Commercial Law League of America (1998-present).
- Ohio State Bar Association (1997-present).



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- American Bankruptcy Institute (1994-present).
- AIDS Legal Referral Panel of the Bar Association of San Francisco (1989-91).
- Bar Association of San Francisco (1987-91).
- American Bar Association (1987-present).

## EXPERT AND EXPERT WITNESS ACTIVITY

- Expert for Legal Aid Center of Southern Nevada in In the Matter of the Guardianship of the Person and Estate of Katherine June Jones, Case No. G-19-, 052263-A, District Court, Clark County, Nevada (2023-present).
- Expert for McDermott Will & Emery LLP in *In re* Power Property Management, Cause No. DC-19-00695, 134<sup>th</sup> Judicial District Court, Dallas County, Texas (2023-present).
- Expert for McDonald Carano LLP in 4R4 Sons, LLC, Horizon Kids dba Kidz, Kidz, Kidz v. Tru G. Wilhelm, Inc. and counterclaim Tru G. Wilhelm v. Horizon Kidz, 4R4 Sons, LLC, Chrisetta M. Rush and Arthur T. Rush, individually and in their capacities as trustees of the Rush Family Revocable Trust (2022-present).
- Expert for Shumaker, Loop & Kendrick, LLP, in Adela 117, LLC v. JP Morgan Chase Bank, Case No. 2021-CF-004270-NC, Circuit Court of the Twelfth Judicial Circuit in and for Sarasota County, Florida (2022-2023) (testified in deposition and at trial).
- Expert for The Claro Group in *In re* Diocese of Camden, New Jersey, Case No. 20-21257, United States Bankruptcy Court, District of New Jersey (2022-present).
- Expert for Lowenstein Sandler LLP in *In re* Diocese of Camden, New Jersey, Case No. 20-21257, United States Bankruptcy Court, District of New Jersey (2022).
- Expert for Wynn Resorts and Orrick Herrington & Sutcliffe LLP in Nielsen v. Wynn Resorts, Ltd., Case No. A-19-803879-C, Eighth Judicial District Court, Clark County, NV (2022-present).
- Expert for Lipson Neilson PC in Estate of Tony Hsieh v. Premsrirut, Clark County District Court, Case No. A-22-847455-B, Las Vegas, NV (2022-present).
- Expert for Shumaker, Loop & Kendrick, LLP, in Adela 117, LLC and Newport Sports Mgmt., Inc. v. JPMorgan Chase Bank et al., Case No., 2021-CA-004270-NC, Circuit Court of the Twelfth Judicial Circuit in and for Sarasota County, Florida (2022).
- Expert for Krevolin & Horst Law Firm in Blackhall Real Estate, LLC v. Smith, JAMS Arbitration No. 1440007245, Atlanta, Georgia (2021).
- Expert for the United States Trustee in *In re* Star Mountain Resources, Inc., Case No. 2:18-bk-01594-DPC, United States Bankruptcy Court for the District of Arizona (2021).
- Expert for the Chapter 7 Trustee in *In re* Green-Light International, LLC, Case No. 2:17-bk-18265-BB, United States Bankruptcy Court for the Central District of California (2021).
- Consultant for law firms regarding a disclosure issue (2021).
- Expert for Beasley Allen Law Firm in *In re* Imerys Talc America, Inc., Case No. 19-10289, United States Bankruptcy Court for the District of Delaware (2020-present) and *In re* LTL Management LLC, Case No. 21-30589, United States Bankruptcy Court for the Western District of North Carolina, transferred to the United States Bankruptcy Court for the District of New Jersey (2021-present).

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- Expert for Bonds Ellis Eppich Schafer Jones LLP in *In re* Highland Capital Management, L.P., Case No. 19-34054, United States Bankruptcy Court for the Northern District of Texas (2020).
- Fee examiner in *In re* Zetta Jet USA, Inc. (2:17-bk-21386-SK) and *In re* Zetta Jet PTE, Ltd., Case No. 2:17-bk-21387-SK, United States Bankruptcy Court for the Central District of California—Los Angeles Division (2020-present).
- Expert for Sidley Austin LLP in *In re* Boy Scouts of America and Delaware BSA, LLC, United States Bankruptcy Court for the District of Delaware, Case No. 20-10343 (LSS) (2020-2022) (testified at hearing in 2020; testified in arbitration in 2022).
- Expert for Porter Hedges LLP in *In re* McDermott Int'l, United States Bankruptcy Court for the Southern District of Texas, Case No. 20-30336 (DRJ) (2020-present).
- Expert for Diamond McCarthy LLP and Snow Covered Capital, LLC in Snow Covered Capital, LLC v. Weidner, United States District Court for the District of Nevada, Case No. 2:19-cv-00595-JAD-NJK (2019-present) (testified at deposition).
- Expert for The Richter Firm and Shumaker, Loop & Kendrick in Wise v. Smith et al., Court of Common Pleas, State of South Carolina, Case No. 2019-CP-3300017 (2019-2020) (testified at deposition).
- Independent monitor for UpRight Law (2018-2023).
- Fee examiner in *In re* Toys “R” Us Property Company I, LLC, United States Bankruptcy Court for the Eastern District of Virginia, Case No. 18-31429 (KLP) (2018-2019).
- Fee examiner in *In re* Toys “R” Us, Inc., United States Bankruptcy Court for the Eastern District of Virginia, Case No. 17-34665 (KLP) (2018-2019).
- Expert for the Trustee in two *In re* ICPW Liquidation Corp. cases, United States Bankruptcy Court for the Central District of California, Case Nos. 1:17-bk-12408-MB and 1:17-bk-12409-MB (2018).
- Expert for Hoover Slovacek LLP in Midstates Petroleum Company v. Production Specialists, Inc. dba Regal Oilfield Sup., United States Bankruptcy Court for the Southern District of Texas, Case No. 4:16-bk-32237 (2017-2019).
- Expert for Panish Shea & Boyle LLP in Moradi v. Nevada Property 1, LLC, District Court, Clark County, Nevada, Case No. A-14-698824-C (2017).
- Expert for Diamond State Insurance Company in Gieseke v. Diamond State Insurance Company, U.S. District Court for the District of Nevada, Case No. 3:16-cv-00103-MMD-WGC (2016).
- Expert for Mar-Bow Value Partners, LLC, and Lakeview Capital, Inc., on a confidential matter involving Federal Rule of Bankruptcy Procedure 2014 (2016-present).
- Independent member of Fee Committee, *In re* Caesars Entertainment Operating Co., Inc., U.S. Bankruptcy Court, Northern District of Illinois, Case No. 15-01145 (ABG) (2015-2018).
- Expert for Craig Marquiz in Home Gambling Network, Inc. v. Piche, United States District Court for the District of Nevada, Case No. 2:05-cv-00610-DAE-VCF (2015).
- Expert for the Debtor in *In re* The Catholic Bishop of Spokane, a/k/a The Catholic Diocese of Spokane, United States Bankruptcy Court, Eastern District of Washington, Case No. 04-08822-FPC11 (2014).

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- Expert for the Trustee in *In re Fundamental Long Term Care, Inc.*, United States Bankruptcy Court, Middle District of Florida, Case No. 8:11-bk-22258-MGW (2014-2015) (testified at deposition and at trial).
- Expert for the Liquidating Trustee in *Mukamal v. Fulbright & Jaworski L.L.P. (In re Palm Beach Finance Partners, L.P. and Palm Beach Finance Partners II, L.P.)*, United States Bankruptcy Court, Southern District of Florida, Case No. 09-36379-BKC-PGH (2014) (withdrew due to scheduling issues).
- Expert for the law firm of Lipson Neilson Cole Seltzer Garin, P.C. in a case involving conflicts of interest (2014).
- Consultant for the Liquidating Trust for *In re Residential Capital, LLC*, United States Bankruptcy Court, Southern District of New York, Case No. 12-12020 (MG), regarding the reasonableness of fees (2014).
- Expert for the law firm of Frank J. Cremen in Grievance File #SG 1-1156, State Bar of Nevada (2013-2014) (testified at hearing).
- Expert for Irell & Manella LLP, in *State of Nevada v. Gary Trafford, et al.*, Clark County District Court, Case No. C-11-277573-1 (2013).
- Expert for a Nevada law firm (firm and client names kept confidential) in a matter involving attorney disciplinary procedures (2012).
- Expert for the Fee Examiner in *Matter of Lehman Brothers Holdings, Inc.*, U.S. Bankruptcy Court, Southern District of New York, Case No. 08-13555-jmp (2012).
- Expert for the Fee Examiner in *In re Motors Liquidation Co. (f/k/a General Motors Corp.)*, U.S. Bankruptcy Court, Southern District of New York, Case No. 09-50026 (2011-2012).
- Expert for Alverson Taylor Mortensen & Sanders in *Stanish et al. v. Catholic Healthcare West*, Nevada District Court, Clark County, Case No. A-11-639674-C (2011).
- Fee examiner in *In re Station Casinos, Inc.*, U.S. Bankruptcy Court, District of Nevada, Case Nos. BK-09-52477 through BK-11-51219 (2011).
- Expert for the Office of the United States Trustee in three cases: *In re Mark Andrew Brown*, U.S. Bankruptcy Court, Western District of Maryland, Case No. 09-44254-jwv7; *In re Tracy L. Quarm*, U.S. Bankruptcy Court, Northern District of Ohio, Case No. 09-20498; and *In re John W. Young*, U.S. Bankruptcy Court, Northern District of Ohio, Case No. 10-11404 (2010) (testified in discovery depositions and at trial; deposition and trial testimony done via videotape).
- Expert for the Trustee in *The Pappg Grantor Trust v. Scott (In re Baltimore Emergency Services II, LLC, et al.)*, U.S. Bankruptcy Court, District of Maryland, Adversary No. 03-8294-esd (2010).
- Expert for Lionel, Sawyer & Collins in *Michael Racusin v. Lionel Sawyer & Collins*, American Arbitration Association, Case No. 79 194 Y 00108 08 (2009-2010) (testified in arbitration).
- Expert for the Reorganized Debtor in *In re ASARCO, LLC, et al.*, U.S. Bankruptcy Court, Southern District of Texas, Case No. 05-21207 (2010) (testified at trial).
- Expert for BuckleySandler LLP in *Pulte Homes, Inc. v. Terry Goddard*, In His Official Capacity as Attorney General for the State of Arizona and Catherine Cortez Masto, In Her Official Capacity as Attorney General for the State of Nevada, D.C. Circuit, Civil Action No. 1:10-cv-00377 (2010).

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- Court's fee expert and chair of the Fee Review Committee in *In re* Pilgrim's Pride Corp., U.S. Bankruptcy Court, Northern District of Texas, Case No. 08-45664 (DML) (2009-2010) (testified at hearing).
- Expert for plaintiff in Judy M. Jackson, M.D. v. Ira Levine et al., Nevada District Court, Clark County, Case No. A538983 (2009-2010) (testified in deposition and at trial).
- Expert for the Trustee in Asset Funding Group, L.L.C., Scobar Adventures, L.L.C., AFG Investment Fund 2, L.L.C., and HW Burbank, L.L.C. v. Adams and Reese, L.L.P., U.S. District Court, Eastern District of Louisiana, Case No. 07-2965 (2009) (testified in deposition; made available for trial, but case settled).
- Expert for Clausen Miller in *In re* Raymond Professional Group, Inc. (Raymond Professional Group, Inc. v. William A. Pope Company), Adv. No. 07-A-00639, U.S. Bankruptcy Court, Northern District of Illinois (2008-2009) (testified in deposition and at hearing).
- Expert for the plaintiff in Todd v. Guidance Software, Inc., U.S. District Court, Central District of California, Case No. SACV 08-1354 JVS (ANx) (2008-2009).
- Expert for the Debtor in Sports Shinko Co. v. Franklin K. Mukai, U.S. District Court, D. Hawaii, Case No. CV 04-00127 ACK/BMK (2007-2008).
- Expert for the Trustee in *In re* Mego Financial Corp., et al., U.S. Bankruptcy Court, D. Nev., Case Nos. BK-N-03-52300-GWZ through BK-N-03-52304-GWZ and BK-N-03-52470-GWZ through BK-N-03-52474-GWZ (2007-2008) (testified at deposition).
- Expert for Pillsbury Winthrop in *In re* SONICBlue Incorporated, U.S. Bankruptcy Court, Northern District of California, Case Nos. 03-51775 through 03-51778 MM (2007) (made available to testify in court early in the case; did not testify).
- Expert for the Trustee in *In re* Southwest Florida Heart Group, P.A., U.S. Bankruptcy Court, Middle District of Florida, Case No. 9:05-bk-17167-ALP (2007) (testified in deposition).
- Expert for Beirne, Maynard & Parsons in Brazos Electric Power Cooperative, Inc. v. Tenaska IV Texas Partners and related cases (2003-2004; 2006-2007) (testified in depositions).
- Expert for Beirne, Maynard & Parsons in Hicks v. Charles Pfizer & Co., U.S. District Court, Eastern District of Texas, Civil Action No. 1:04CV201 (2006).
- Expert for Benjamin Hall, Esq., in Costilla Energy, Inc., by and through its litigation trustee, George Hicks v. Joint Energy Development Investments II, 49<sup>th</sup> Judicial District, Zapata County, Texas (2006-2008) (testified in deposition).
- Expert for Winstead, Secrest & Minick in an issue involving conflicts of interest (2005).
- Expert for Beckley, Singleton in Fremont Investment & Loan v. Beckley Singleton, Chtd. and Sidney Bailey, U.S. District Court, D. Nevada, Case No. CV-S-03-1406-JCM-RJJ (2003) (2005-2006) (testified in deposition).
- Expert for the debtor in *In re* ACandS, Inc., U.S. Bankruptcy Court, D. Delaware, Case No. 02-12687 (2004-2005) (testified at hearing).
- Court's fee expert and chair of the Fee Review Committee in *In re* Mirant Corporation, U.S. Bankruptcy Court, Northern District of Texas, Case No. 03-46590 (2003-2006; 2011-2012) (testified in deposition and at hearing).
- Expert witness for Latham & Watkins regarding Section 414 of H.R. 333 (changes in "disinterestedness" standard of 11 U.S.C. § 101(14)) (March-April 2003).

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- Expert witness for the Office of Disciplinary Counsel, *In re* Charles William Ewing, Case No. 97-5, before the Board of Commissioners on Grievances and Discipline of the Bar of the Supreme Court of Ohio (1998).

## PUBLIC TESTIMONY

- Testified at the June 2012 public meeting of the United States Trustee Program regarding the proposed new fee guidelines for larger chapter 11 cases (testimony available at [http://www.justice.gov/ust/eo/rules\\_regulations/guidelines/docs/proposed/Prof\\_Rapopot\\_Comment.pdf](http://www.justice.gov/ust/eo/rules_regulations/guidelines/docs/proposed/Prof_Rapopot_Comment.pdf), [http://www.justice.gov/ust/eo/rules\\_regulations/guidelines/docs/proposed/Prof\\_Rapopot\\_SupplementalComment.pdf](http://www.justice.gov/ust/eo/rules_regulations/guidelines/docs/proposed/Prof_Rapopot_SupplementalComment.pdf), and [http://www.justice.gov/ust/eo/rules\\_regulations/guidelines/docs/proposed/Prof\\_Rapopot\\_Comment2.pdf](http://www.justice.gov/ust/eo/rules_regulations/guidelines/docs/proposed/Prof_Rapopot_Comment2.pdf); transcript available at [http://www.justice.gov/ust/eo/rules\\_regulations/guidelines/docs/proposed/Transcript\\_June4\\_Public\\_Meeting.pdf](http://www.justice.gov/ust/eo/rules_regulations/guidelines/docs/proposed/Transcript_June4_Public_Meeting.pdf); Director Clifford J. White III's statement on the adopted guidelines, available at [http://www.justice.gov/ust/eo/rules\\_regulations/guidelines/docs/Fee\\_Guidelines\\_Cliff\\_White\\_Statement.pdf](http://www.justice.gov/ust/eo/rules_regulations/guidelines/docs/Fee_Guidelines_Cliff_White_Statement.pdf)).

## ADVICE COLUMN

- “Ms. Ps and Qs”: ethics advice column for the National Association of Chapter 13 Trustees (2011-present).

## SELECTED AMICUS BRIEFS

- *Brief for Amici Erwin Chemerinsky and Other Legal Scholars in Support of Appellees, Aearo Technologies, LLC v. Those Parties Listed on Appendix A to the Complaint and Jone & Jane Does, 1-1000 (In re Aearo Technologies, LLC)*, United States Court of Appeals for the Seventh Circuit, Case No. 22-2606 (Feb. 1, 2023).
- *Brief of 83 Legal Ethics Professors as Amici Curiae in Support of Hearing En Banc*, United States v. Varner, United States Court of Appeals for the Fifth Circuit, Case No. 19-40016 (Mar. 20, 2020).
- *Amicus Brief of Neutral Fee Examiners Supporting Neither Party*, Baker Botts L.L.P. v. ASARCO LLC, Case No. 14-103, United States Supreme Court (Dec. 10, 2014), 2014 WL 6984132.
- *Brief of Amici Curiae, In re David Marshall Brown*, Case No. 12-Cv-60016-KAM, United States District Court, Southern District of Florida (filed by co-counsel George Castrataro) (April 11, 2012), available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2038267](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2038267).

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- *Brief in Support of Respondent for Amici Curiae Professors Richard Aaron, Laura Beth Bartell, Jagdeep S. Bhandari, Susan Block-Lieb, Robert D'Agostino, Jessica Dawn Gabel, Kenneth N. Klee, George W. Kuney, C. Scott Pryor, Nancy B. Rapoport, Marie T. Reilly, Lynne F. Riley, Keith Sharfman, and Michael Sousa*, RadLAX Gateway Hotel, LLC and RadLAX Gateway Deck, LLC v. Amalgamated Bank, Case No. 11-166, United States Supreme Court (March 5, 2012).
- *Brief of Legal Ethics Professors and Practitioners and the Ethics Bureau at Yale as Amici Curiae in Support of Petitioner*, Maples v. Thomas, Case No. 10-63, United States Supreme Court (May 25, 2011).
- *Brief of Amicus Curiae*, Warren v. Seidel, United States District Court for the District of Ohio, Case No. 2:10-cv-01049-MHW (2010), available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1843496](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1843496).
- *Brief of 30 Leading Ethicists as Amici Curiae in Support of the Petitioner*, Charles Dean Hood v. State of Texas, Case No. 09-8610, United States Supreme Court (February 18, 2010), available at 2010 WL 638469.
- *Brief of Amicus Curiae*, Danny Joe McClure and Kimberly Deskins McClure, Plaintiffs, v. Bank of America, Creditors Financial Group, LLC, and Peter Rebelo, Defendants, Bankr. N.D. Tex. 2010, Adv. No. 08-04000-DML, available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1550353](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1550353).

## INTERESTS (INCLUDING SELECTED BALLROOM DANCE COMPETITION RESULTS)

- Ailurophile; Jane Austen and Aaron Sorkin fan.
- Obsessed with the history of the Titanic and with the U.S. space program.

### *Ballroom dance*

- Pro/am competition results:
  - United States Dance Championships (ballroom dance's national competition):
    - 5<sup>th</sup> in S1 US Open to the World Pro/Am Rhythm Scholarship Championship; 4<sup>th</sup> in "C" Open to the World 9-Dance Championship (with Igor Dogoter) (2022).
    - 4<sup>th</sup> in S1 Open Gold US National Pro/Am Rhythm Scholarship Championship; 5<sup>th</sup> in S1 Open Gold US National Pro/Am Smooth Scholarship Championship; 4<sup>th</sup> in "C" Open Gold US Open to the World 9-Dance Championship (with Igor Dogoter) (2021).
    - 6<sup>th</sup> in "C" U.S. National Open Gold Rhythm Scholarship & 4<sup>th</sup> in "C" Open to the World Pro/Am American Style 9-Dance Championship (with Sergei Shapoval) (2019).
    - 4<sup>th</sup> in "C" Open to the World Pro/Am American Style 9-Dance Championship (with Sergei Shapoval) (2018).

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- 2<sup>nd</sup> in “C” Open to the World Pro/Am American Style 9-Dance Championship (with Sergei Shapoval) (2017).
  - 5<sup>th</sup> in “C” Open to the World Pro/Am American Style 9-Dance Championship (with Sergei Shapoval) (2016).
  - 4<sup>th</sup> in the “C” Open to the World Pro/Am American Style 9-Dance Championship (with Sergei Shapoval) (2015).
  - 5<sup>th</sup> in U.S. Open Pro/Am American Style 9-Dance Championship “B” Division (missed 4<sup>th</sup> by a Rule 11 tie) & 1<sup>st</sup> in U.S. Open Pro/Am Rising Star American Smooth Competition “B” Division (with Sergei Shapoval) (2014).
  - 6<sup>th</sup> in U.S. National Pro/Am American Rhythm 5 Dance Scholarship “B” Division; 2<sup>nd</sup> in U.S. Open Pro/Am American Style 9-Dance Championship (“B” Division”) and 5<sup>th</sup> in U.S. Open Pro/Am Rising Star American Smooth Competition (with Sergei Shapoval) (2013).
  - 5<sup>th</sup> in Open “B” 9-Dance Championship and 6<sup>th</sup> in Rising Star “B” American Smooth Competition (with Sergei Shapoval) (2012).
  - 4<sup>th</sup> in Open “B” Rhythm Scholarship and 4<sup>th</sup> in Open “B” 9-Dance Championship (with Sergei Shapoval) (2011).
- Las Vegas Lights Dance Challenge: 1<sup>st</sup> in Open Gold American Style 6-Dance; 1<sup>st</sup> in Open CM Rhythm Multi-Dance; 1<sup>st</sup> in Open CM Smooth Multi-Dance; 1<sup>st</sup> in Open CM Rhythm Scholarship; 1<sup>st</sup> in Open CM Smooth Scholarship (with Igor Dogoter) (2022).
  - Vegas Open: 2<sup>d</sup> in S1 Open Multi-dance Rhythm; 2<sup>n</sup> in Senior Open Rhythm Scholarship; 2<sup>d</sup> in S1 Open Multi-dance Smooth; 1<sup>st</sup> in Open “C” 9-dance Scholarship; 3<sup>rd</sup> in S1 Open Smooth Scholarship (with Igor Dogoter) (2023); 1<sup>st</sup> in S1 9-Dance; 2<sup>d</sup> in S1 Open Rhythm Multi-Dance Challenge; 2<sup>d</sup> in S1 Open Rhythm Scholarship; 2<sup>d</sup> in S1 Open Smooth Multi-Dance Challenge; 4<sup>th</sup> in S1 Open Smooth Scholarship (with Igor Dogoter) (2022).
  - Holiday Dance Classic: 2<sup>d</sup> in “C” DanceSport Series Rhythm Championship; 6<sup>th</sup> in “C” Open Rhythm Scholarship; 2<sup>d</sup> in “C” DanceSport Series Smooth Championship (2022) (with Igor Dogoter); 4<sup>th</sup> in “C” DanceSport Series Rhythm Championship; 5<sup>th</sup> in “C” DanceSport Series Smooth Championship; 5<sup>th</sup> in S1 Smooth Scholarship (with Igor Dogoter) (2021).
  - Great Gatsby Gala: 1<sup>st</sup> in World DanceSport Series “S1” American Rhythm; 2<sup>d</sup> in 9-Dance; 2<sup>d</sup> in World DanceSport Series “S1” American Smooth; 4<sup>th</sup> in “S1” Scholarship American Smooth (missed 3<sup>d</sup> by a Rule 11 tie) (with Igor Dogoter) (2021).
  - Viva Las Vegas: 1<sup>st</sup> in World Challenge American Smooth Open (L-B); 1<sup>st</sup> in World Challenge American Rhythm Open (L-B); top Gold student (with Igor Dogoter) (2022); 1<sup>st</sup> in World Challenge American Smooth Open (L-B); 2<sup>d</sup> in World Challenge American Rhythm Open (L-B) (with Igor Dogoter) (2021).

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- Ballroom Beach Bash: 3<sup>d</sup> in Senior Open Rhythm Scholarship; 2<sup>d</sup> in “C” Open 9-dance; 4<sup>th</sup> in Senior Open Smooth Scholarship (with Igor Dogoter) (2023); 1<sup>st</sup> in S1 Open Rhythm Scholarship, 1<sup>st</sup> in “C” 9-dance; 4<sup>th</sup> in SR Open Smooth (with Igor Dogoter) (2022); 1<sup>st</sup> in “C” Open Gold Smooth Scholarship; 7<sup>th</sup> in “C” Open Advanced Smooth Scholarship (with Igor Dogoter) (2021).
- California Open DanceSport Championships (online competition): 3<sup>d</sup> in “B” Open Smooth Championship & 2<sup>d</sup> in “C” Best of the Best Open Smooth (with Igor Dogoter) (2021).
- Fred Astaire National Dance Championships: 4<sup>th</sup> place in Open B Rhythm Scholarship, 2<sup>nd</sup> place in American Rhythm 9-Dance Division, and 6<sup>th</sup> place in Open B Smooth Scholarship (with Sergei Shapoval) (2018).
- Fred Astaire World Championships: 5<sup>th</sup> in Open B Rhythm Scholarship & 6<sup>th</sup> in Open B Smooth Scholarship (with Sergei Shapoval) (2017).
- Emerald Ball: 5<sup>th</sup> in Open S1 Rhythm Championship and 5<sup>th</sup> in Open B American 9-Dance (with Igor Dogoter) (2023); 5<sup>th</sup> in Open B American 9-Dance Championship (2019) (with Sergei Shapoval); 4<sup>th</sup> in Open B American Rhythm Scholarship (with Sergei Shapoval) (2011).
- California Star Ball: 1<sup>st</sup> in Pro/Am Open Rhythm Scholarship Competition and 3<sup>rd</sup> in the Open American Smooth Competition (2010); 1<sup>st</sup> in Open Rhythm Scholarship (with Sergei Shapoval) (2009).
- Embassy Ball: 1<sup>st</sup> in the B Division, Open-to-the-World Latin Pro/Am Competition (with Billy King) (2005).
- Ohio Star Ball: DanceSport SuperBowl Region 5 Representative, Ladies’ B Latin (with Billy King) (2005); 1<sup>st</sup> in International Latin (B) Scholarship (with Bill Sparks) (1993).
- Amateur competition results:
  - Vegas Open Dance Challenge:
    - 2023, 3<sup>rd</sup> in Pre-Novice Smooth; 5<sup>th</sup> in Novice Smooth (with Ben Ow).
  - Holiday Dance Classic:
    - 2022, 1<sup>st</sup> in Amateur “C” Smooth Novice (with Ben Ow).
  - United States Amateur Dance Sport Competition (national amateur ranking competition):
    - 1996, 3<sup>rd</sup> place, American Rhythm Division (with Christopher Holgate).



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- 1994 & 1995, 2<sup>nd</sup> place, American Rhythm Division (with Christopher Holgate).
- Ohio Star Ball: 1<sup>st</sup> in Amateur American Rhythm & 6<sup>th</sup> place, Amateur American Smooth Division (with David Freeman) (1993).

## **PERSONAL INFORMATION**

- Native Texan (born in Bryan, Texas).
- Married to Jeffrey D. Van Niel; no children; two cats (Diana Prince and Shadow Grace).

## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is: 655 W. Broadway, Suite 800, San Diego, California 92101

A true and correct copy of the foregoing document entitled (*specify*):

**DECLARATION OF NANCY RAPOPORT IN SUPPORT OF MOTION OF TRUSTEE RICHARD A. MARSHACK FOR ENTRY OF AN ORDER (A) APPROVING SALE OF ASSETS FREE AND CLEAR OF ALL LIENS, CLAIMS, ENCUMBRANCES AND INTERESTS PURSUANT TO 11 U.S.C. § 363(b) AND (B) APPROVING ASSUMPTION AND ASSIGNMENT OF CERTAIN EXECUTORY CONTRACTS AND UNEXPIRED LEASES AND OTHER AGREEMENTS**

will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF)**: Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On July 18, 2023, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

2. **SERVED BY UNITED STATES MAIL**:

On July 18, 2023, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

3. **SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on July 18, 2023, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

**JUDGE'S COPY**

The Honorable Scott C. Clarkson  
United States Bankruptcy Court  
Central District of California  
Ronald Reagan Federal Building and Courthouse  
411 West Fourth Street, Suite 5130 / Courtroom 5C  
Santa Ana, CA 92701-4593

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

July 18, 2023  
Date

Caron Burke  
Printed Name

/s/ Caron Burke  
Signature

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):**

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